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FEDERAL COMMUNICATIONS COMMISSION
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Rules For the Filing of International) CC Docket No. 93-157
Circuit Status Reports)

COMMENTS

MCI Telecommunications Corporation ("MCI") submits these comments in response to the Commission's Notice of Proposed Rulemaking, ("NPRM"), FCC 93-291, released July 2, 1993.

I. INTRODUCTION

The Commission's NPRM tentatively concludes that the "public interest will be served by codifying the requirement for the filing of circuit status reports, reducing the frequency of the filing of those reports, requiring all facilities based international common carriers to file such reports and by specifying in a filing manual to be developed by the Chief, Common Carrier Bureau a common format for the filing of those reports."¹ Recognizing that the

¹ NPRM at para 7. The Commission has determined that it is in the public interest to continue to require circuit status reports because these reports are useful in "discharging our 214 obligations" and continue to be used to "determine use of existing international submarine cable and satellite facilities as a part of the assessment of the need for new cable and satellite facilities." Id. at para. 3.

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"regulation of international common carrier facilities and services has changed radically since the early 1970's when monthly circuit status reports were first filed,"² the Commission issued this NPRM requesting comment on its proposals to:

(1) codify in the Commission's Rules, requirements for the filing of international circuit status reports; (2) reduce the frequency of filing such reports from monthly to annually; (3) require all facilities-based international carriers to file such reports; (4) provide for a filing manual with reporting instructions; (5) specify a format for the filing of those reports; and (6) require the filing of such reports on computer diskettes.³

MCI fully supports revision of the filing requirements for international circuit status reports filed by facilities based U.S. international common carriers and generally agrees with all of the Commission's above-referenced proposals. If implemented, these proposals will result in all facilities based U.S. international common carrier service providers submitting circuit status information to the Commission in a uniform and standard format. However, MCI submits that it is necessary to ensure that Commission reported data accurately reflects use of existing international transmission facilities, a goal of this proceeding.

² First, cable and satellite loading guidelines have been eliminated. Second, streamlined regulation of non-dominant carriers has relieved U.S. carriers from unnecessary regulatory burdens and provides significant benefits to consumers. Additionally, the increase in the number of international common carriers lends itself to an annual reporting requirement that standardizes industry wide data that allows the Commission to better assess the growth of international facilities and industry trends in the use of those facilities. Id. at para. 3.

³ Id. at para. 1.

By requiring that all carriers report the capacity of each transmission system at a circuit level with a standardized bandwidth, the Commission will indeed accomplish its goal - to better assess the growth of international facilities and industry trends in the use of these facilities - by receiving reliable standardized industry wide data. MCI also urges the Commission to evaluate the need for carriers to continue filing bi-annual circuit status reports, especially since, as demonstrated below, the information contained in these reports is duplicative of that contained in the current circuit status reports.⁴

II. ANNUAL CIRCUIT STATUS REPORTS SHOULD CONTAIN, ON A COUNTRY BY COUNTRY BASIS, THE CAPACITY OF EACH TRANSMISSION SYSTEM AT A CIRCUIT LEVEL WITH A STANDARDIZED BANDWIDTH FOR EACH OF THE SPECIFIED SERVICES

The Commission currently receives international circuits status reports from some of the international facilities based common carriers.⁵ In its NPRM the Commission anticipates that the "circuit status reports will continue to provide, at a minimum, information, on a country by country basis, indicating the number

⁴ MCI notes that if the Commission decides to authorize an annual reporting requirement for international circuit status reports, the information required in the bi-annual report will also be duplicative of that contained in the annual report.

⁵ In its NPRM the Commission notes that since the reports were first required, many new entities have become facilities based U.S. international common carriers. As a result, not all carriers are filing these reports today. MCI supports the Commission's proposal that would require all U.S. facilities based international carriers to file international circuit status reports.

of circuits⁶ in each transmission facility an international facilities-based carrier has activated for each of the specified services, the total number of circuits activated and the number of idle circuits."⁷

MCI supports the Commission's information requirements for international circuit status reports cited above. The reports currently submitted by MCI contain this information. All digital circuits in MCI's reports are reported at a standard bandwidth of 64 Kilobits per second ("Kb/s")⁸ and all analog circuits are

⁶ MCI asserts, for the sake of uniformity and standardization in the preparation and submission of circuit status reports, that it is necessary to clarify the definition of digital and analog circuits. MCI suggests the following definitions: A digital circuit is a transmission medium for the provision of telecommunications services at a standard bandwidth of 64 kilobits per second ("Kb/s"). An analog circuit is a transmission medium capable of speeds up to 9.6 Kb/s for the provision of telecommunications services. Although MCI realizes that there are speed subrates up to the 9.6 Kb/s level for analog circuits, analog circuits are typically provisioned at the 9.6 Kb/s level. Therefore, MCI asserts that the Commission should require that analog circuits be reported at the 9.6 Kb/s level.

⁷ Id. at para. 6. MCI requests that the Commission clarify its definition of an "idle" circuit because MCI believes that there could be several different interpretations attached to this term. For example, MCI suggests that if a circuit is installed within a network, whether or not traffic is assigned, this circuit would be defined as active, not idle. Circuits not installed within the network, i.e., the necessary equipment is not attached for transmission or transmission cannot be completed for various reasons, would be defined as idle circuits.

⁸ The bulk of the circuits contained in MCI's reports are digital circuits. MCI emphasizes that each digital circuit should be counted as one circuit for reporting purposes. Compression techniques applied to digital circuits result in circuit numbers that fluctuate on a frequent basis. The reason for these dynamic fluctuations is that carriers increase and decrease the number of circuits through digital compression as required to meet their traffic demands. Therefore, digital circuit information on a compressed basis is not as meaningful and accurate in determining

reported as single circuits capable of transmission speeds up to 9.6 Kb/s for the provision of telecommunications services. MCI asserts that these bandwidth levels are currently used by all carriers providing international services, regardless of the carrier's size, the facilities used or the services provided. Not only would adoption of these standard bandwidths for reporting purposes provide uniform and accurate information to the Commission for analysis of circuit usage and industry trends, these standard bandwidths are practical for all carriers to report and should therefore be required as the standard for reporting international circuits.

III. BI-ANNUAL REPORTING REQUIREMENTS SHOULD BE ELIMINATED FROM COMMISSION RULES. THESE REPORTS CONTAIN CIRCUIT INFORMATION THAT DUPLICATES CURRENT AND PROPOSED CIRCUIT STATUS REPORTS

Under Section 63.10 of the Commission's rules⁹ U.S. common carrier international service providers "certified to provide non-dominant international communications services to a particular geographic market shall report circuit additions on a semi-annual basis."¹⁰ Essentially these reports contain information that

the level of utilization to a particular country. The level of detail of a single, non-compressed, circuit reflects a more accurate level of availability and utilization to a particular country on a particular facility.

⁹ 47 C.F.R. §63.10

¹⁰ Id. These reports are required to be filed on February 1 and August 1 of each year. The February 1 report covers facilities over which service was initiated during the preceding July 1 to December 31 period. The August 1 report covers facilities over which service was initiated during the preceding January 1 to June 30 period.

compares the circuit status report for month six of the bi-annual period to the circuit status report for month one of the same period. The variance in circuit additions and deletions between these two monthly reports is then reported in the bi-annual report. MCI asserts that the requirement for bi-annual reporting creates additional and duplicative paperwork for both carriers and Commission personnel, is burdensome and should therefore be eliminated.

MCI urges the Commission to revise its rules and not require carriers to file bi-annual reports. If the Commission should find, however, that these variance reports are of value, MCI requests, in the alternative, that the Commission revise the reporting requirement and require carriers to file a variance report on an annual basis concurrent with filing of their circuit status report.¹¹

This issue concerning the filing of the bi-annual reports was not raised in the Commission's NPRM. If the Commission decides to publish a supplementary NPRM to address this issue, MCI requests that this issue not delay a decision on the revisions proposed in the above-referenced docket.

¹¹ Under this approach MCI proposes that the variance report would contain data comparing only two months per year, the first month and the last month of the annual period. Therefore, to be filed concurrently with the annual circuit status report on March 31, the report would compare the month of December of the immediately preceding year to the month of January of that same year. The variance in the number of circuit deletions and additions between those two months would comprise the report.

If the Commission should decide to maintain the current bi-annual filing requirement, MCI requests that the Commission require carriers to file these reports three months after the period during which service was initiated over the facilities. For example, if the report covers facilities over which service was initiated from

For the foregoing reasons MCI supports the Commission in its effort to revise its filing requirements for its international circuit status reports. MCI respectfully requests that the Commission require all facilities based U.S. international common carriers to report the capacity for each transmission system at the circuit level with a standardized bandwidth. Further, MCI urges the Commission to initiate proceedings to eliminate the bi-annual reporting requirements.

Respectfully submitted,

MCI TELECOMMUNICATIONS CORPORATION

By: Jodi L. Cooper
John M. Scorce
Jodi L. Cooper

1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
(202) 887-2145

Its Attorneys

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July 1 to December 31, then the filing data for that report would be March 31 of the following year.